

MINUTES of **REGULAR** Meeting #2020-16 of the council of the City of Whitehorse called for 5:30 p.m. on Monday, July 13, 2020, in Council Chambers, City Hall.

PRESENT: Mayor Dan Curtis
Councillors Dan Boyd
Laura Cabott
Jocelyn Curteanu
Samson Hartland – Electronic Participation
Stephen Roddick
Jan Stick

ALSO PRESENT: Acting City Manager Jeff O’Farrell
Acting Director of Community and Recreation Services Krista Mroz
Director of Corporate Services Valerie Braga
Director of Development Services Mike Gau
Acting Director of Human Resources Lindsay Schneider
Director of Infrastructure and Operations Peter O’Blenes
Manager of Legislative Services Catherine Constable
Manager of Planning and Sustainability Services Mélodie Simard

Mayor Curtis called the meeting to order at 5:30 p.m.

CALL TO ORDER

2020-16-01

It was duly moved and seconded
THAT the agenda be adopted as presented.

AGENDA

Carried Unanimously

2020-16-02

It was duly moved and seconded
THAT the minutes of the regular council meeting dated June 29, 2020
be adopted as presented.

MINUTES

June 29, 2020

Carried Unanimously

COMMITTEE REPORTS

City Planning Committee

2020-16-03

It was duly moved and seconded
THAT Bylaw 2020-10, a bylaw to amend the Official Community Plan
land use designation of a portion of the Tank Farm site from
Residential–Urban to Mixed-Use–Industrial/Commercial, be amended
prior to second reading to:

BRING FORWARD AN
AMENDMENT TO
BYLAW 2020-10
TANK FARM PHASE 1
OCP AMENDMENT

1. Delete redundant Policies 8.4.4 and 8.4.5 from the Official
Community Plan as these policies relate to the remediation of the
Tank Farm site and this work has now been completed; and

2020-16-03 (Continued)

2. Amend Policy 10.7.9 of the Official Community Plan to reflect the completion of the remediation work on the Tank Farm site;
AND FURTHER THAT a second public hearing be held prior to second reading of Bylaw 2020-10 as amended.

BRING FORWARD AN
AMENDMENT TO
BYLAW 2020-10
TANK FARM PHASE 1
OCP AMENDMENT
(Continued)

Carried Unanimously

In response to questions raised, administration confirmed that the entire bylaw as amended would be the subject of the second public hearing.

Discussion

2020-16-04

It was duly moved and seconded
THAT Bylaw 2020-25, a bylaw to amend the zoning of 39 – 14th Avenue to allow a living suite as a secondary use, be brought forward for consideration under the bylaw process.

BRING FORWARD
ZONING AMENDMENT
BYLAW 2020-25
(39—14th Avenue)

Carried Unanimously

Some members of Council expressed reservations about the proposed change but supported bringing the bylaw forward in order to hear from the public.

Discussion

City Operations Committee

2020-16-05

It was duly moved and seconded
THAT administration be authorized to award the contract for the SCADA Stations Radio Communications Upgrades project to Total North Communications for a net cost to the City of \$103,722 plus GST.

CONTRACT AWARD
SCADA STATIONS RADIO
COMMUNICATIONS
UPGRADE PROJECT

Carried Unanimously

Community Services Committee

There was no report from the Community Services Committee.

No Report

Public Health and Safety Committee

In response to questions raised about the Community Safety Plan for the Whitehorse Emergency Shelter, administration advised that the City participated in initial consultations at a high level, but no follow-up meetings with the Government of Yukon occurred prior to the release of the Plan. It is anticipated that the City will hear from the Yukon government as they move the plan forward.

COMMUNITY SAFETY
PLAN – WHITEHORSE
EMERGENCY SHELTER
For Information Only

A Committee member noted that a number of trolley track crossings on the waterfront trail are in disrepair and are creating hazards for trail users. Administration advised that responsibility for repairs remains with the Government of Yukon and the City has been in contact with the relevant departments urging a response to these safety issues.

TROLLEY TRACKS
SAFETY ISSUES
For Information Only

The Mayor advised that the Minister has responded to concerns raised and initiated contact with the new Deputy Minister regarding this issue. Further contact with the Deputy Minister is expected soon.

Discussion

A council member commented on the communications breakdown that occurred last Saturday as a result of a landslide in northern British Columbia. Administration advised that in such situations the Fire Department plays an active role. Typically, local radio would be used to advise citizens of the situation, and discussions will now be ongoing between the City and the Emergency Measures Organization on additional ways to get information to the public. Another council member noted that it is vital to ensure that the public has ways to communicate, since during this incident only land-lines were working for local service if people needed to contact emergency services.

COMMUNICATIONS
BREAKDOWN
For Information Only

Development Services Committee

A Committee member noted that at the last regular meeting Council requested that “City Response to COVID-19 Impacts” be a standing agenda item. An update on how this will proceed was requested. Administration advised that due to the short time frame between meetings and the complication of the Canada Day holiday in the middle of the week, staff was unable to prepare a report in time for this meeting. The issue will be on the agenda starting July 20th. The Committee requested that the issue be brought forward as an item of New and Unfinished Business at the next regular council meeting rather than waiting two weeks for the next meeting cycle.

CITY RESPONSE TO
COVID-19 IMPACTS
For Information Only

Corporate Services Committee

2020-16-06

It was duly moved and seconded

THAT the 2020 to 2023 Capital Expenditure Program be amended by funding the 2020 Appendix ‘B’ Project Remediation Planning for 6th Avenue in the amount of \$35,000 from the capital reserve until an approved Transfer Payment Agreement has been received; and

BUDGET AMENDMENT
AND CONTRACT AWARD
REMEDATION PLANNING
FOR 6TH AVENUE

THAT Administration be authorized to award the contract for the Remediation Planning for 6th Avenue project to Hemmera Envirochem Inc for a net cost to the City of \$ 57,120 plus GST.

Carried Unanimously

2020-16-07

It was duly moved and seconded
THAT the 2020 to 2023 Capital Expenditure Program be amended by increasing the 2020 Whistle Bend Future Areas Planning project in the amount of \$8,375, funded by a transfer from the Government of Yukon to cover the additional costs.

BUDGET AMENDMENT
WHISTLE BEND FUTURE
AREAS PLANNING

Carried Unanimously

NEW AND UNFINISHED BUSINESS

Administration presented a report detailing the steps involved to enable the use of on-street parking spaces by businesses impacted by the COVID-19 pandemic, including establishment of on-street patios for eating and drinking establishments.

To enable on-street patios, the City would need to amend the Special Events Road Closure Bylaw and the Fees and Charges Bylaw. The bylaw amendment process would require two council meetings, and impacted businesses and the public would have the ability to comment.

Once the bylaw amendments are completed, applicants would have to apply for a permit from the City. As part of that permitting process, businesses wishing to use parking spaces would be required to provide plans demonstrating that their proposal meets City requirements.

TEMPORARY ALLOWANCES
FOR ON-STREET PATIOS
For Information Only

There is no precedent for on-street patios in Yukon, so the safety requirements would have to be developed and understood before the individual plans could be evaluated. The businesses would also have to submit an operating plan to the Chief Medical Officer of Health. Typically, the City does not issue permits until a proponent provides evidence that other regulatory requirements have been satisfied.

It is unlikely that businesses would begin addressing the additional planning and permitting requirements until the bylaw amendments are confirmed, so that additional time would factor into realistic planning for implementation.

Council members discussed the issues and timelines involved to allow on-street patios, and the consensus was that it is too late in the season to be of use for this year. It was noted that many departments have been involved in examining the options and assessing the work that needs to be done to permit on-street patios while mitigating risks and liabilities. The suggestion was made that, from a cost-benefit point of view, to continue the work at this stage is not a practical and effective use of staff time. However, the work done to date means that if we are still in this situation next year, the City can be ready well before the summer season.

Discussion

BYLAWS

2020-16-08

It was duly moved and seconded
THAT Bylaw 2020-22, a bylaw to amend the Fees and Charges Bylaw in accordance with the second quarter review, having been read a first and second time, now be given third reading.

Carried Unanimously

BYLAW 2020-22

FEES AND CHARGES
AMENDMENT
THIRD READING

2020-16-09

It was duly moved and seconded
THAT Bylaw 2020-10, a bylaw to amend the Official Community Plan by changing the land use designation of a portion of the Tank Farm site from Residential–Urban to Mixed-use Industrial/Commercial, be amended by adding new sections 1 and 2 and renumbering the remaining sections accordingly. The new sections shall read as follows:

- “1. Official Community Plan Bylaw 2010-10 is hereby amended by deleting existing policies 8.4.4 and 8.4.5.
- 2. Official Community Plan Bylaw 2010-10 is hereby amended by deleting existing policy 10.7.9 and substituting therefore a new policy 10.7.9 as follows:

“10.7.9 The White Pass Tank Farm near Valleyview is established as a Direct Control District, pursuant to section 291 of the *Municipal Act*. This will allow Council to directly control the use and development of the land and buildings within the area. As part of the development of this site the following development restrictions are applied to Lot 429, Group 804, Plan 26170 LTO, or any future lots subdivided from Lot 429:

- a) Granular material may be relocated from one area of the site to another, but no material may be removed from the site, unless authorized through a future amendment to the Zoning Bylaw and/or a Development Agreement;
- b) No processing of material, such as washing or crushing, shall be undertaken on-site, unless authorized through a future amendment to the Zoning Bylaw and a Development Agreement; and
- c) Detailed plans for material management and/or relocation of material within the Tank Farm property shall be authorized through a future amendment to the Zoning Bylaw and a Development Agreement.”

Carried Unanimously

AMENDMENT TO
BYLAW 2020-10
PRIOR TO 2ND READING

Administration confirmed that the requirement for an additional public hearing passed at the "Committee Reports" stage earlier in the meeting, and that public input will be accepted on the entire bylaw as amended.

Discussion

2020-16-10

It was duly moved and seconded THAT Bylaw 2020-25, a bylaw to amend the zoning of 39–14th Avenue in the Porter Creek neighbourhood to allow a living suite as a secondary use, be given first reading.

Carried Unanimously

BYLAW 2020-25
ZONING AMENDMENT
39-14th Avenue
FIRST READING

There being no further business, the meeting adjourned at 7:00 p.m.

ADJOURNMENT

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ORIGINAL MINUTES SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"N. L. Felker"

Norma L. Felker, Assistant City Clerk

ADOPTED by resolution at Meeting #2020-17 dated July 27, 2020